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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,109	09/29/2003	Andrew John Farnsworth	1578.622	2439
44208	7590	07/28/2005	EXAMINER	
DOCKET CLERK PO BOX 12608 DALLAS, TX 75225			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,109	Applicant(s) FARNSWORTH ET AL.	
	Examiner Khai M. Nguyen	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Vialen et al. (U.S.Pat-6898429).

Regarding claim 1, Vialen teaches a method of processing a message in a mobile telecommunications device (fig.1-4), the method comprising:

receiving a Cell Update Confirm (CUC) message (fig.4, col.4, line 53 to col.5, line 2, col.7, lines 32-65);

determining whether the device has an empty cell identifier variable (fig.5, element 450, col.6, line 66 to col.7, line 12, col.7, line 66 to col.8, line 37);

when the device has an empty cell identifier variable (fig.5, col.7, line 66 to col.8, line 37), determining whether the CUC message includes a new value for the cell identifier (fig.1-5, col.5, line 43 to col.6, line 4);

when the CUC message includes a new value for the cell identifier (fig.1-5, col.5, line 43 to col.6, line 4) and the CUC message would cause the device to enter a state which requires the UE to respond to the message before entering the state, carrying out at least one further step prior to entering the state (fig.5, col.7, line 66 to col.8, line 37).

Regarding claim 2, Vialen teaches a method according to claim 1 wherein the further step comprises:

setting the INVALID_CONFIGURATION to TRUE (fig.1-5, col.2, lines 1-41).

Regarding claim 3, Vialen teaches a method according to claim 2 wherein the further step further comprises:

sending a cell update message to the network (fig.1-5, col.5, line 43 to col.6, line 4).

Regarding claim 4, Vialen teaches a method according to claim 2 wherein the further step further comprises:

returning to an idle state (col.5, lines 9-18, col.6, line 66 to col.7, line 17).

Regarding claim 5, Vialen teaches a method according to claim 1 wherein the further step comprises:

sending a new cell update message including a field that indicates that the cause for the cell update message is cell reselection (fig.4-5, col.7, line 32 to col.8, line 37).

Regarding claim 6, Vialen teaches a method according to claim 1 wherein the further step comprises:

acting on the cell update confirm message without transmitting a response to the network (fig.4-5, col.7, line 32 to col.8, line 37).

Regarding claim 7, Vialen teaches a method according to claim 1 wherein the further step comprises:

ignoring the cell update confirm message (col.5, line 53 to col.6, line 4).

Regarding claim 8, Vialen teaches a method according to any preceding claim wherein the cell identifier variable is C_RNTI and the value of the cell identifier is C-RNTI (col.6, lines 16-41).

Regarding claim 9, Vialen teaches apparatus for processing a message in a mobile telecommunications system (fig.1-4), the apparatus being arranged to:

receive a Cell Update Confirm (CUC) message from a network (fig.4, col.4, line 53 to col.5, line 2, col.7, lines 32-65);

determine whether the device has an empty C_RNTI variable (fig.5, element 450; col.6, line 66 to col.7, line 12, col.7, line 66 to col.8, line 37);

when the device has an empty C_RNTI variable (fig.5, col.7, line 66 to col.8, line 37), determine whether the CUC message includes a new C-RNTI (fig.1-5, col.5, line 43 to col.6, line 4);

when the CUC message includes a new C_RNTI (fig.1-5, col.5, line 43 to col.6, line 4) and the CUC message would cause the device to enter a state which requires the UE to respond to the message before entering the state, carrying out at least one further step prior to entering the state (fig.5, col.7, line 66 to col.8, line 37).

Regarding claim 10, Vialen teaches apparatus according to claim 9 wherein the apparatus is further arranged to:

set the INVALID_CONFIGURATION to TRUE (fig.1-5, col.2, lines 1-41).

Regarding claim 11, Vialen teaches apparatus according to claim 10 wherein the apparatus is further arranged to:

send a cell update message to the network (fig.1-5, col.5, line 43 to col.6, line 4).

Regarding claim 12, Vialen teaches apparatus according to claim 9 wherein the apparatus is further arranged to:

return to an idle state (col.5, lines 9-18, col.6, line 66 to col.7, line 17).

Regarding claim 13, Vialen teaches apparatus according to claim 9 wherein the apparatus is further arranged to:

send a new cell update message including a field that indicates that the cause for the cell update message is cell reselection (fig.4-5, col.7, line 32 to col.8, line 37).

Regarding claim 14, Vialen teaches apparatus according to claim 9 wherein the apparatus is further arranged to:

act on the cell update confirm message without transmitting a response to the network (fig.4-5, col.7, line 32 to col.8, line 37).

Regarding claim 15, Vialen teaches apparatus according to claim 9 wherein the apparatus is further arranged to:

ignore the cell update confirm message (col.5, line 53 to col.6, line 4).

Regarding claim 16, Vialen teaches a mobile telecommunication device incorporating apparatus according to any of claims 9 to 15 (see rejection above of claims 9-15).

Citation of Pertinent Prior Art

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Amirijoo et al. (U.S.Pub-20030050097) discloses Recovery of mobile station(s) in connected mode upon RNC failure.

Seki et al. (U.S.Pub-20040248581) discloses Mobile communication system and communication method for mobile communication system.

Lescuyer et al. (U.S.Pub-20040147262) discloses System and method for message redirection between mobile telecommunication networks with different radio access technologies.

Ahmavaara (U.S.Pub-20040068571) discloses Access system for an access network.

Nagpal et al. (U.S.Pub-20030211846) discloses Selective processing of the common control channel.

Pedlar (U.S. Pub-20040224686) discloses Apparatus and method of uplink data during cell update in universal mobile telecommunications system user equipment.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
Au: 2687

7/18/2005


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER